

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hairs, and manure fragments, and by reason of the use of filthy milk in its preparation.

DISPOSITION: February 9, 1948. The Stella Cheese Co., Campbellsport, Wis., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for salvaging under the supervision of the Food and Drug Administration; 37,354½ pounds of the cheese was salvaged as fit for human consumption.

13092. Misbranding of cheese. U. S. v. 70 Crocks, etc. (F. D. C. No. 24323. Sample No. 9737-K.)

LIBEL FILED: On or about February 2, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about December 23, 1947, by the June Dairy Products Co., Inc., Jersey City, N. J.

PRODUCT: 129 4-ounce, 8-ounce, and 12-ounce crocks of cheese at New York, N. Y.

LABEL, IN PART: "June Dairy Colonial Cheese Bleu [or "Gorgonzola," or "Cheddar"] Cheese."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents, since the label statements "Net Weight 4 Ounces," "Net Weight 8 Ounces," and "Net Weight 12 Ounces" were inaccurate. (Examination showed that the article was short-weight.)

DISPOSITION: March 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

EGGS AND EGG PRODUCTS

13093. Adulteration of frozen whole eggs. U. S. v. 648 Cans * * * (and 2 other seizure actions). (F. D. C. Nos. 21319, 22228, 22229. Sample Nos. 57631-H, 57632-H, 63880-H.)

LIBELS FILED: October 16, 1946, and January 30, 1947, Middle District of Pennsylvania and District of Massachusetts.

ALLEGED SHIPMENT: In or about August 15 and December 3, 1946, by the Arthur Redmond Co., Inc., from Terre Haute, Ind., and New York, N. Y.

PRODUCT: 648 cans at Scranton, Pa., 100 cans at New Bedford, Mass., and 120 cans at Boston, Mass., each can containing 30 pounds of frozen whole eggs.

LABEL, IN PART: "Kirby Quality Dublegg Frozen Concentrated Whole Eggs," "Frozen Whole Eggs Packed by Tri-State Produce Co. Sioux City, Iowa," or "Capital Butter & Egg Co., Washington 4, D. C. Whole Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed or putrid substance. (Examination showed the presence of decomposed or putrid eggs.)

DISPOSITION: December 11, 1946, and February 24, 1947. The Arthur Redmond Co., Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

13094. Adulteration of frozen whole eggs. U. S. v. 160 Tins * * *. (F. D. C. No. 24038. Sample No. 37221-K.)

LIBEL FILED: December 23, 1947, Western District of Washington.

ALLEGED SHIPMENT: On or about November 1, 1947, by the Fergus County Creamery, from Lewistown, Mont.

PRODUCT: 160 30-pound tins of frozen whole eggs at Tacoma, Wash.

LABEL, IN PART: "Armour's Cloverbloom Frozen Whole Eggs Armour Creameries Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed eggs.)

DISPOSITION: February 27, 1948. The Fergus County Creamery, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. 46 cans were found unfit and were denatured and destroyed; the remaining cans were released to the claimant.

13095. Adulteration of frozen eggs. U. S. v. 38 Cans * * *. (F. D. C. No. 12123. Sample No. 1471-F.)

LIBEL FILED: April 4, 1944, Northern District of Indiana.

ALLEGED SHIPMENT: On or about March 14, 1944, by the Marshfield Dairy Products Co., from Marshfield, Wis.

PRODUCT: 38 50-pound cans of frozen eggs at South Bend, Ind.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: On or about June 27, 1944. Default decree of condemnation and destruction.

13096. Adulteration of powdered egg yolks. U. S. v. 2 Drums * * *. (F. D. C. No. 24423. Sample No. 24400-K.)

LIBEL FILED: January 23, 1948, District of Minnesota.

ALLEGED SHIPMENT: On or about November 18, 1947, by the Ohio Pure Food Co., from Middleport, Ohio.

PRODUCT: 2 100-pound drums of powdered egg yolks at Anoka, Minn.

LABEL, IN PART: "Super K10 Powder Spray Powdered Egg Yolk."

NATURE OF CHARGE: Adulteration,, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and mites; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 26, 1948. Default decree of condemnation. The product was ordered denatured for use as animal feed or destroyed.

FEEDS AND GRAINS

13097. Adulteration of ground yellow corn. U. S. v. Willard E. Barry (Weston Feed Mills). Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 24521. Sample No. 109-K.)

INFORMATION FILED: April 9, 1948, District of Nebraska, against Willard E. Barry, trading as the Weston Feed Mills, Weston, Nebr.

ALLEGED SHIPMENT: On or about September 16, 1947, from the State of Nebraska into the State of Georgia.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance possessing a musty odor and containing oat hulls and burnt corn particles had been substituted for ground yellow corn.

DISPOSITION: May 10, 1948. A plea of guilty having been entered, the court imposed a fine of \$50 and costs.

13098. Adulteration and misbranding of Mineral Block. U. S. v. William H. Lapp (Wm. H. Lapp Laboratories). Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 23239. Sample No. 49989-H.)

INFORMATION FILED: September 12, 1947, Southern District of Iowa, against William H. Lapp, trading as the Wm. H. Lapp Laboratories, at Nevada, Iowa.

ALLEGED SHIPMENT: On or about May 24, 1946, from the State of Iowa into the State of Missouri.

LABEL, IN PART: "Farm Master * * * Mineral Block For Cattle And Hogs * * * Calcium (Ca), not less than - - - 15.00% * * * Phosphorus, not less than - - - 3.30% Iodine, not less than - - - .05% * * * Distributed by Sears, Roebuck and Co. Chicago, Ill. and other leading Cities."